

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF NEW JERSEY

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Magnolia Associates, LLC

2. All other names debtor used in the last 8 years  
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 81-0949675

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

859 Willow Grove Street  
Hackettstown, NJ 07840  
Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Warren  
County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor  
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership (excluding LLP)  
☐ Other. Specify:

Debtor Magnolia Associates, LLC  
Name

Case number (if known) \_\_\_\_\_

**7. Describe debtor's business****A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

**B. Check all that apply**

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

**C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.**  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

\_\_\_\_\_

**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- ☐ No
- ☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor <u>See Attachment</u>	Relationship _____
District _____	When _____ Case number, if known _____

Debtor Magnolia Associates, LLC  
Name

Case number (if known) \_\_\_\_\_

**11. Why is the case filed in this district?***Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (*Check all that apply.*)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other \_\_\_\_\_**Where is the property?** \_\_\_\_\_

Number, Street, City, State &amp; ZIP Code

**Is the property insured?**☐ No☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information****13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☒ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor Magnolia Associates, LLC  
Name

Case number (if known) \_\_\_\_\_

**Request for Relief, Declaration, and Signatures****WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 12, 2019  
MM / DD / YYYY**X** /s/ Carl J. Lizza  
Signature of authorized representative of debtorCarl J. Lizza  
Printed nameTitle Co-Managing Member**18. Signature of attorney****X** /s/ Daniel M. Stolz  
Signature of attorney for debtorDate June 12, 2019  
MM / DD / YYYYDaniel M. Stolz  
Printed nameWASSERMAN, JURISTA & STOLZ, P.C.  
Firm name110 Allen Road  
Suite 304  
Basking Ridge, NJ 07920  
Number, Street, City, State & ZIP CodeContact phone (973) 467-2700 Email address attys@wjslaw.com028461980 NJ  
Bar number and State

Debtor Magnolia Associates, LLC  
Name

Case number (if known) \_\_\_\_\_

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

DISTRICT OF NEW JERSEYCase number (if known) \_\_\_\_\_ Chapter 11☐ Check if this an amended filing**FORM 201. VOLUNTARY PETITION****Pending Bankruptcy Cases Attachment**

Debtor	<u>Azzil Granite Materials, LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>New Jersey</u>	When	<u>Case number, if known</u>
Debtor	<u>Lizza Equipment Leasing, LLC</u>	Relationship to you	<u>Affiliate</u>
District	<u>New Jersey</u>	When	<u>Case number, if known</u>

MAGNOLIA ASSOCIATES, LLC  
(THE "COMPANY")

May 16, 2019

WRITTEN RESOLUTION BY  
UNANIMOUS WRITTEN CONSENT OF THE MANAGING MEMBERS

**The UNDERSIGNED**, being the Managing Members of the Company and constituting all of the Members of the Company do hereby waive all notice required by the Company's operating agreement (the "Operating Agreement") and the laws of the state of New York for a meeting of the managing members and do hereby approve the following resolutions by unanimous written consent in lieu of a meeting:

**WHEREAS**, the Company is a limited liability company formed on January 4, 2016 pursuant to the laws of the state of New York; and

**WHEREAS**, the Operating Agreement gives the Managing Members of the Company all rights and powers necessary or appropriate for the conduct and management of the business and affairs of the Company including, but not limited to, the employment of attorneys, accountants, brokers, consultants and other persons, firms and corporations to render services to the Company as the Managing Members may deem necessary or proper; and

**WHEREAS**, the undersigned constitute all of the members of the Company and have approved of the action set forth below; and

**WHEREAS**, the Company contemplates entering into a contract for the sale of its real property located at 9025 State Route 4, Whitehall, New York (the "Property") to U.S. Concrete, Inc. ("US Concrete") and, as required by US Concrete, to thereafter file a Chapter 11 petition for bankruptcy and seek approval of the sale of the Property to US Concrete pursuant to said contract under Section 363 of the United States Bankruptcy Code (the "Petition"); and


**WHEREAS**, it is necessary for the Company to retain bankruptcy counsel and special counsel as set forth below to file the Petition and take the necessary action to effectuate the intent of this Resolution as set forth above;

**NOW THEREFORE BE IT RESOLVED**, that the Company shall and is hereby authorized to execute any deliver all documents and/or instruments required to be executed and delivered in order to: (a) consummate the sale of the Property to US Concrete; (b) retain the law firm of Wasserman Jurista and Stolz to file the Chapter 11 bankruptcy petition and take all necessary related action in representing the Company in connection with this bankruptcy petition; (c) retain the Law Offices of Robert S. Dowd, Jr., LLC as special counsel to assist Wasserman Jurista and Stolz in connection with the Chapter 11 bankruptcy petition.

**BE IT FURTHER RESOLVED**, that the Company shall and is hereby authorized to take any and all other actions necessary to consummate the sale of the Property and to reorganize pursuant to Chapter 11 of the United States Bankruptcy Code and to otherwise effectuate the intent of this Resolution as expressed above.

**BE IT FURTHER RESOLVED**, that either of the Managing Members shall have the authority to (i) execute and deliver the documents and instruments described in the first resolution above and (ii) take actions described in the preceding resolution.

**IN WITNESS WHEREOF**, the Managing Members have executed this Unanimous Written Consent effective as of the date first above written.

  
\_\_\_\_\_  
Carl J. Lizza

  
\_\_\_\_\_  
John F. Lizza

**Assets**

**Current Assets**

1001.00	CASH - TD BANK	\$ 50.00	
1004.00	CASH - NYCB 4341	666.09	
1300.00	DUE FROM / (TO) IPANJ	<u>(2,146,514.37)</u>	
Total Current Assets			\$ (2,145,798.28)

**Long Term Assets**

1700.00	LAND	\$ 5,537,695.75	
1700.10	ACCUMULATED LAND DEPELTION	(85,818.24)	
1704.00	DEFERRED MORTGAGE COSTS	98,755.00	
1704.10	ACCUM AMORT DEFERRED MORTG	<u>(42,323.40)</u>	
Total Long Term Assets			<u>\$ 5,508,309.11</u>
Total Assets			<u><u>\$ 3,362,510.83</u></u>



**Liabilities and Equity**

**Current Liabilities**

2001.00	ACCOUNTS PAYABLE	\$ 143,491.16	
2002.00	ACCRUED EXPENSES	<u>211,250.00</u>	
Total Current Liabilities			\$ 354,741.16

**Long Term Liabilities**

2100.00	NYCB - NOTE PAYABLE MAGNOL	<u>\$ 2,466,291.69</u>	
Long Term Liabilities			<u>\$ 2,466,291.69</u>
Total Liabilities			<u>\$ 2,821,032.85</u>

**Equity**

3100.00	CAPITAL- CARL LIZZA III	\$ 179,687.03	
3102.00	CAPITAL- JOHN LIZZA	179,687.04	
	Net Income	<u>182,103.91</u>	
Total Equity			<u>\$ 541,477.98</u>
Total Liabilities & Equity			<u><u>\$ 3,362,510.83</u></u>

**Fill in this information to identify the case:**

Debtor name Magnolia Associates, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☒ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☒ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☒ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☒ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☒ *Schedule H: Codebtors* (Official Form 206H)
- ☒ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 12, 2019

**X** /s/ Carl J. Lizza

Signature of individual signing on behalf of debtor

Carl J. Lizza

Printed name

Co-Managing Member

Position or relationship to debtor

**Fill in this information to identify the case:**

Debtor name Magnolia Associates, LLC  
 United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY  
 Case number (if known): \_\_\_\_\_

☐ Check if this is an amended filing

## Official Form 204

### Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
J.R. Vinargo Corporation 2208 Plainfield Pike Johnston, RI 02919		mechanic's lien				\$589,525.91
Maine Drilling & Blasting, Inc. PO Box 1140 Brunswick Road Gardiner, ME 04345		mechanic's lien				\$301,493.71
New York Commercial Bank NYCB Plaza 102 Duffy Ave., 3rd Fl Hicksville, NY 11801		guarantor per Commercial Guaranty for Intercounty Paving Associates, LLC	Contingent Unliquidated			\$0.00
NYS Marine Highway Transportation, LLC 427 River Street Troy, NY 12180						\$0.00
Salvatore Gargano c/o Compass Construction of NY Co., Inc. 234 Skillman Ave #2A Brooklyn, NY 11211			Disputed			\$0.00
Signature Financial, LLC 225 Broadhollow Rd. Suite 132W Melville, NY 11747				Unknown	Unknown	Unknown
Wells Fargo Equipment Finance, Inc. 733 Marquette Ave, Suite 700 Minneapolis, MN 55402		guaranty on Bareboat Charter Party Agreement	Contingent Unliquidated			\$0.00

Debtor Magnolia Associates, LLC Case number (if known) \_\_\_\_\_  
Name

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Zurich North Amerca Attn: Nicholas Kokinakis, Claims Counsel 1299 Zurich Way, PO Box 968038 Schaumburg, IL 60196		surety bonding company				\$0.00

Fill in this information to identify the case:

Debtor name Magnolia Associates, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

Official Form 206Sum  
Summary of Assets and Liabilities for Non-Individuals

12/15

Part 1: Summary of Assets

1. **Schedule A/B: Assets-Real and Personal Property** (Official Form 206A/B)

1a. <b>Real property:</b> Copy line 88 from <i>Schedule A/B</i> .....	\$ 15,000,000.00
1b. <b>Total personal property:</b> Copy line 91A from <i>Schedule A/B</i> .....	\$ 317,480.62
1c. <b>Total of all property:</b> Copy line 92 from <i>Schedule A/B</i> .....	\$ 15,317,480.62

Part 2: Summary of Liabilities

2. <b>Schedule D: Creditors Who Have Claims Secured by Property</b> (Official Form 206D) Copy the total dollar amount listed in Column A, <i>Amount of claim</i> , from line 3 of <i>Schedule D</i> .....	\$ 10,100,000.00
3. <b>Schedule E/F: Creditors Who Have Unsecured Claims</b> (Official Form 206E/F)	
3a. <b>Total claim amounts of priority unsecured claims:</b> Copy the total claims from Part 1 from line 5a of <i>Schedule E/F</i> .....	\$ 0.00
3b. <b>Total amount of claims of nonpriority amount of unsecured claims:</b> Copy the total of the amount of claims from Part 2 from line 5b of <i>Schedule E/F</i> .....	+\$ 3,037,533.99
4. <b>Total liabilities</b> ..... Lines 2 + 3a + 3b	\$ 13,137,533.99

**Fill in this information to identify the case:**

Debtor name Magnolia Associates, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

## Official Form 206A/B Schedule A/B: Assets - Real and Personal Property

12/15

Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal, equitable, or future interest. Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. Also include assets and properties which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule A/B, list any executory contracts or unexpired leases. Also list them on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G).

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the top of any pages added, write the debtor's name and case number (if known). Also identify the form and line number to which the additional information applies. If an additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.

For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting schedules, such as a fixed asset schedule or depreciation schedule, that gives the details for each asset in a particular category. List each asset only once. In valuing the debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms used in this form.

**Part 1: Cash and cash equivalents**

**1. Does the debtor have any cash or cash equivalents?**

- ☐ No. Go to Part 2.  
☒ Yes Fill in the information below.

**All cash or cash equivalents owned or controlled by the debtor**

**Current value of debtor's interest**

**3. Checking, savings, money market, or financial brokerage accounts (Identify all)**

Name of institution (bank or brokerage firm)

Type of account

Last 4 digits of account number

3.1. TD Bank

Checking

8032

\$50.00

3.2. NY Community Bank

Checking

4341

\$666.09

**4. Other cash equivalents (Identify all)**

**5. Total of Part 1.**

Add lines 2 through 4 (including amounts on any additional sheets). Copy the total to line 80.

\$716.09

**Part 2: Deposits and Prepayments**

**6. Does the debtor have any deposits or prepayments?**

- ☐ No. Go to Part 3.  
☒ Yes Fill in the information below.

**7. Deposits, including security deposits and utility deposits**

Description, including name of holder of deposit

**8. Prepayments, including prepayments on executory contracts, leases, insurance, taxes, and rent**

Description, including name of holder of prepayment

8.1. escrow with bank for taxes

\$364.53

Debtor Magnolia Associates, LLC Case number (If known) \_\_\_\_\_  
Name

9. **Total of Part 2.**

Add lines 7 through 8. Copy the total to line 81.

\$364.53

**Part 3: Accounts receivable**

10. **Does the debtor have any accounts receivable?**

- ☐ No. Go to Part 4.  
☒ Yes Fill in the information below.

11. **Accounts receivable**

11a. 90 days old or less: 316,400.00 - 0.00 = .... \$316,400.00  
face amount doubtful or uncollectible accounts

12. **Total of Part 3.**

Current value on lines 11a + 11b = line 12. Copy the total to line 82.

\$316,400.00

**Part 4: Investments**

13. **Does the debtor own any investments?**

- ☒ No. Go to Part 5.  
☐ Yes Fill in the information below.

**Part 5: Inventory, excluding agriculture assets**

18. **Does the debtor own any inventory (excluding agriculture assets)?**

- ☒ No. Go to Part 6.  
☐ Yes Fill in the information below.

**Part 6: Farming and fishing-related assets (other than titled motor vehicles and land)**

27. **Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?**

- ☒ No. Go to Part 7.  
☐ Yes Fill in the information below.

**Part 7: Office furniture, fixtures, and equipment; and collectibles**

38. **Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles?**

- ☒ No. Go to Part 8.  
☐ Yes Fill in the information below.

**Part 8: Machinery, equipment, and vehicles**

46. **Does the debtor own or lease any machinery, equipment, or vehicles?**

- ☒ No. Go to Part 9.  
☐ Yes Fill in the information below.

**Part 9: Real property**

54. **Does the debtor own or lease any real property?**

- ☐ No. Go to Part 10.  
☒ Yes Fill in the information below.

Debtor Magnolia Associates, LLC Case number (If known) \_\_\_\_\_  
Name

55. **Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest**

Description and location of property Include street address or other description such as Assessor Parcel Number (APN), and type of property (for example, acreage, factory, warehouse, apartment or office building, if available.	Nature and extent of debtor's interest in property	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
55.1. 134 acres with quarry located at 925 Rt. 4, White Hall, NY 12887		\$0.00		\$15,000,000.00

56. **Total of Part 9.**

Add the current value on lines 55.1 through 55.6 and entries from any additional sheets.  
Copy the total to line 88.

\$15,000,000.00

57. **Is a depreciation schedule available for any of the property listed in Part 9?**

- ☒ No  
☐ Yes

58. **Has any of the property listed in Part 9 been appraised by a professional within the last year?**

- ☒ No  
☐ Yes

**Part 10: Intangibles and intellectual property**

59. **Does the debtor have any interests in intangibles or intellectual property?**

- ☐ No. Go to Part 11.  
☒ Yes Fill in the information below.

General description	Net book value of debtor's interest (Where available)	Valuation method used for current value	Current value of debtor's interest
60. <b>Patents, copyrights, trademarks, and trade secrets</b>			
61. <b>Internet domain names and websites</b>			
62. <b>Licenses, franchises, and royalties</b> royalties for ground lease	\$0.00		Unknown

63. **Customer lists, mailing lists, or other compilations**

64. **Other intangibles, or intellectual property**

65. **Goodwill**

66. **Total of Part 10.**

Add lines 60 through 65. Copy the total to line 89.

\$0.00

67. **Do your lists or records include personally identifiable information of customers** (as defined in 11 U.S.C. §§ 101(41A) and 107?

- ☒ No  
☐ Yes

68. **Is there an amortization or other similar schedule available for any of the property listed in Part 10?**

- ☒ No  
☐ Yes



Debtor Magnolia Associates, LLC Case number (If known) \_\_\_\_\_  
Name

69. **Has any of the property listed in Part 10 been appraised by a professional within the last year?**

- ☒ No  
☐ Yes

**Part 11: All other assets**

70. **Does the debtor own any other assets that have not yet been reported on this form?**

Include all interests in executory contracts and unexpired leases not previously reported on this form.

- ☒ No. Go to Part 12.  
☐ Yes Fill in the information below.

Debtor Magnolia Associates, LLC Case number (If known) \_\_\_\_\_  
Name

**Part 12: Summary**

In Part 12 copy all of the totals from the earlier parts of the form

Type of property	Current value of personal property	Current value of real property
80. <b>Cash, cash equivalents, and financial assets.</b> <i>Copy line 5, Part 1</i>	\$716.09	
81. <b>Deposits and prepayments.</b> <i>Copy line 9, Part 2.</i>	\$364.53	
82. <b>Accounts receivable.</b> <i>Copy line 12, Part 3.</i>	\$316,400.00	
83. <b>Investments.</b> <i>Copy line 17, Part 4.</i>	\$0.00	
84. <b>Inventory.</b> <i>Copy line 23, Part 5.</i>	\$0.00	
85. <b>Farming and fishing-related assets.</b> <i>Copy line 33, Part 6.</i>	\$0.00	
86. <b>Office furniture, fixtures, and equipment; and collectibles.</b> <i>Copy line 43, Part 7.</i>	\$0.00	
87. <b>Machinery, equipment, and vehicles.</b> <i>Copy line 51, Part 8.</i>	\$0.00	
88. <b>Real property.</b> <i>Copy line 56, Part 9.....&gt;</i>		\$15,000,000.00
89. <b>Intangibles and intellectual property.</b> <i>Copy line 66, Part 10.</i>	\$0.00	
90. <b>All other assets.</b> <i>Copy line 78, Part 11.</i>	+ \$0.00	
91. <b>Total.</b> Add lines 80 through 90 for each column	\$317,480.62	+ 91b. \$15,000,000.00
92. <b>Total of all property on Schedule A/B.</b> Add lines 91a+91b=92		\$15,317,480.62

**Fill in this information to identify the case:**

Debtor name Magnolia Associates, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

**Official Form 206D**

**Schedule D: Creditors Who Have Claims Secured by Property**

12/15

Be as complete and accurate as possible.

**1. Do any creditors have claims secured by debtor's property?**

- ☐ No. Check this box and submit page 1 of this form to the court with debtor's other schedules. Debtor has nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

**Part 1: List Creditors Who Have Secured Claims**

2. List in alphabetical order all creditors who have secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim.

		Column A Amount of claim  Do not deduct the value of collateral.	Column B Value of collateral that supports this claim
2.1	<p><b>New York Community Bank</b></p> <p>Creditor's Name</p> <p>102 Duffy Ave., 2nd Fl. Hicksville, NY 11801</p> <p>Creditor's mailing address</p> <p>Creditor's email address, if known</p> <p><b>Date debt was incurred</b></p> <p><b>Last 4 digits of account number</b> 0001</p> <p><b>Do multiple creditors have an interest in the same property?</b></p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Specify each creditor, including this creditor and its relative priority.</p>	<p><b>Describe debtor's property that is subject to a lien</b></p> <p>134 acres with quarry located at 925 Rt. 4, White Hall, NY 12887</p> <p><b>Describe the lien</b></p> <p>Revolving Credit Loan</p> <p><b>Is the creditor an insider or related party?</b></p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p><b>Is anyone else liable on this claim?</b></p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes. Fill out <i>Schedule H: Codebtors</i> (Official Form 206H)</p> <p><b>As of the petition filing date, the claim is:</b> Check all that apply</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p>	<p><u>\$10,100,000.00</u></p> <p><u>\$15,000,000.00</u></p>

2.2	<p><b>Signature Financial, LLC</b></p> <p>Creditor's Name</p> <p>225 Broadhollow Rd. Suite 132W Melville, NY 11747</p> <p>Creditor's mailing address</p> <p>Creditor's email address, if known</p> <p><b>Date debt was incurred</b></p> <p><b>Last 4 digits of account number</b></p> <p><b>Do multiple creditors have an interest in the same property?</b></p>	<p><b>Describe debtor's property that is subject to a lien</b></p> <p><u>Unknown</u></p> <p><b>Describe the lien</b></p> <p><u>Unknown</u></p> <p><b>Is the creditor an insider or related party?</b></p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p><b>Is anyone else liable on this claim?</b></p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes. Fill out <i>Schedule H: Codebtors</i> (Official Form 206H)</p> <p><b>As of the petition filing date, the claim is:</b> Check all that apply</p>	
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Debtor Magnolia Associates, LLC Case number (if know) \_\_\_\_\_  
Name

- ☒ No ☐ Contingent  
☐ Yes. Specify each creditor, including this creditor and its relative priority. ☐ Unliquidated  
☐ Disputed

3. Total of the dollar amounts from Part 1, Column A, including the amounts from the Additional Page, if any. 

\$10,100,000. 00
---------------------

**Part 2: List Others to Be Notified for a Debt Already Listed in Part 1**

List in alphabetical order any others who must be notified for a debt already listed in Part 1. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for secured creditors.

If no others need to be notified for the debts listed in Part 1, do not fill out or submit this page. If additional pages are needed, copy this page.

Name and address

On which line in Part 1 did you enter the related creditor?

Last 4 digits of account number for this entity

New York Commercial Bank  
NYCB Plaza  
102 McDuffy Ave., 3rd Floor  
Hicksville, NY 11801

Line 2.1

**Fill in this information to identify the case:**

Debtor name Magnolia Associates, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

**Official Form 206E/F**

**Schedule E/F: Creditors Who Have Unsecured Claims**

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY unsecured claims and Part 2 for creditors with NONPRIORITY unsecured claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Assets - Real and Personal Property* (Official Form 206A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G). Number the entries in Parts 1 and 2 in the boxes on the left. If more space is needed for Part 1 or Part 2, fill out and attach the Additional Page of that Part included in this form.

**Part 1: List All Creditors with PRIORITY Unsecured Claims**

1. Do any creditors have priority unsecured claims? (See 11 U.S.C. § 507).

☒ No. Go to Part 2.

☐ Yes. Go to line 2.

**Part 2: List All Creditors with NONPRIORITY Unsecured Claims**

3. List in alphabetical order all of the creditors with nonpriority unsecured claims. If the debtor has more than 6 creditors with nonpriority unsecured claims, fill out and attach the Additional Page of Part 2.

		Amount of claim	
3.1	<b>Nonpriority creditor's name and mailing address</b> Intercounty Paving Associates, LLC 859 Willow Grove St. Hackettstown, NJ 07840  Date(s) debt was incurred _____ Last 4 digits of account number _____	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> _____  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	\$2,146,514.37
3.2	<b>Nonpriority creditor's name and mailing address</b> J.R. Vinargo Corporation 2208 Plainfield Pike Johnston, RI 02919  Date(s) debt was incurred _____ Last 4 digits of account number _____	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>mechanic's lien</u>  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	\$589,525.91
3.3	<b>Nonpriority creditor's name and mailing address</b> Maine Drilling & Blasting, Inc. PO Box 1140 Brunswick Road Gardiner, ME 04345  Date(s) debt was incurred _____ Last 4 digits of account number _____	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>mechanic's lien</u>  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	\$301,493.71
3.4	<b>Nonpriority creditor's name and mailing address</b> New York Commercial Bank NYCB Plaza 102 Duffy Ave., 3rd Fl Hicksville, NY 11801  Date(s) debt was incurred _____ Last 4 digits of account number _____	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input checked="" type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>guarantor per Commercial Guaranty for Intercounty Paving Associates, LLC</u>  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Unknown

Debtor Magnolia Associates, LLC Case number (if known) \_\_\_\_\_

3.5	<b>Nonpriority creditor's name and mailing address</b> NYS Marine Highway Transportation, LLC 427 River Street Troy, NY 12180  Date(s) debt was incurred _____ Last 4 digits of account number _____	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> _____  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Unknown
3.6	<b>Nonpriority creditor's name and mailing address</b> Salvatore Gargano c/o Compass Construction of NY Co., Inc. 234 Skillman Ave #2A Brooklyn, NY 11211  Date(s) debt was incurred _____ Last 4 digits of account number _____	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed  <b>Basis for the claim:</b> _____  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Unknown
3.7	<b>Nonpriority creditor's name and mailing address</b> Wells Fargo Equipment Finance, Inc. 733 Marquette Ave, Suite 700 Minneapolis, MN 55402  Date(s) debt was incurred _____ Last 4 digits of account number _____	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input checked="" type="checkbox"/> Contingent <input checked="" type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>guaranty on Bareboat Charter Party Agreement</u>  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Unknown
3.8	<b>Nonpriority creditor's name and mailing address</b> Zurich North Amerca Attn: Nicholas Kokinakis, Claims Counsel 1299 Zurich Way, PO Box 968038 Schaumburg, IL 60196  Date(s) debt was incurred _____ Last 4 digits of account number _____	<b>As of the petition filing date, the claim is:</b> <i>Check all that apply.</i> <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed  <b>Basis for the claim:</b> <u>surety bonding company</u>  Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Unknown

**Part 3: List Others to Be Notified About Unsecured Claims**

4. List in alphabetical order any others who must be notified for claims listed in Parts 1 and 2. Examples of entities that may be listed are collection agencies, assignees of claims listed above, and attorneys for unsecured creditors.

If no others need to be notified for the debts listed in Parts 1 and 2, do not fill out or submit this page. If additional pages are needed, copy the next page.

	Name and mailing address	On which line in Part1 or Part 2 is the related creditor (if any) listed?	Last 4 digits of account number, if any
4.1	Couch White LLP 540 Broadway PO Box 22222 Albany, NY 12201	Line <u>3.2</u>  <input type="checkbox"/> Not listed. Explain _____	—
4.2	Hinckley, Allen & Snyder, LLP 30 So. Pearl St., Suite 901 Albany, NY 12207	Line <u>3.3</u>  <input type="checkbox"/> Not listed. Explain _____	—
4.3	Joseph Lubertazzi, Esq. McCarter & English 4 Gateway Center, 100 Mulberry St Newark, NJ 07102	Line <u>3.7</u>  <input type="checkbox"/> Not listed. Explain _____	—
4.4	Kevin A. Luibrand, Esq. 950 New Loudon Road, Suite 270 Latham, NY 12110	Line <u>3.6</u>  <input type="checkbox"/> Not listed. Explain _____	—

**Part 4: Total Amounts of the Priority and Nonpriority Unsecured Claims**

Debtor Magnolia Associates, LLC Case number (if known) \_\_\_\_\_  
Name

**5. Add the amounts of priority and nonpriority unsecured claims.**

**5a. Total claims from Part 1**

**5b. Total claims from Part 2**

**5c. Total of Parts 1 and 2**

Lines 5a + 5b = 5c.

Total of claim amounts	
5a.	\$ 0.00
5b. +	\$ 3,037,533.99
5c.	\$ 3,037,533.99

**Fill in this information to identify the case:**

Debtor name Magnolia Associates, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

**Official Form 206G**

**Schedule G: Executory Contracts and Unexpired Leases**

12/15

Be as complete and accurate as possible. If more space is needed, copy and attach the additional page, number the entries consecutively.

**1. Does the debtor have any executory contracts or unexpired leases?**

☐ No. Check this box and file this form with the debtor's other schedules. There is nothing else to report on this form.

☒ Yes. Fill in all of the information below even if the contacts of leases are listed on *Schedule A/B: Assets - Real and Personal* (Official Form 206A/B). *Property*

**2. List all contracts and unexpired leases**

**State the name and mailing address for all other parties with whom the debtor has an executory contract or unexpired lease**

2.1. State what the contract or lease is for and the nature of the debtor's interest Grond Lease Agreement - 10 year lease expires April 30, 2026

State the term remaining

List the contract number of any government contract \_\_\_\_\_

Azzil Granite Materials, LLC  
859 Willow Grove St  
Hackettstown, NJ 07840



**Fill in this information to identify the case:**

Debtor name Magnolia Associates, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

## Official Form 206H Schedule H: Your Codebtors

12/15

Be as complete and accurate as possible. If more space is needed, copy the Additional Page, numbering the entries consecutively. Attach the Additional Page to this page.

**1. Do you have any codebtors?**

☐ No. Check this box and submit this form to the court with the debtor's other schedules. Nothing else needs to be reported on this form.

☒ Yes

**2. In Column 1, list as codebtors all of the people or entities who are also liable for any debts listed by the debtor in the schedules of creditors, Schedules D-G. Include all guarantors and co-obligors. In Column 2, identify the creditor to whom the debt is owed and each schedule on which the creditor is listed. If the codebtor is liable on a debt to more than one creditor, list each creditor separately in Column 2.**

*Column 1: Codebtor*

*Column 2: Creditor*

**Name**

**Mailing Address**

**Name**

*Check all schedules that apply:*

2.1 Azzil Granite Materials, LLC 859 Willow Grove St  
Hackettstown, NJ 07840

J.R. Vinargo Corporation

☐ D \_\_\_\_\_  
☒ E/F 3.2  
☐ G \_\_\_\_\_

2.2 Azzil Granite Materials, LLC 859 Willow Grove St  
Hackettstown, NJ 07840

Maine Drilling & Blasting, Inc.

☐ D \_\_\_\_\_  
☒ E/F 3.3  
☐ G \_\_\_\_\_

2.3 Intercounty Paving Associates, LLC 859 Willow Grove St.  
Hackettstown, NJ 07840

New York Community Bank

☒ D 2.1  
☐ E/F \_\_\_\_\_  
☐ G \_\_\_\_\_

2.4 Intercounty Paving Associates, LLC 859 Willow Grove St.  
Hackettstown, NJ 07840

New York Commercial Bank

☐ D \_\_\_\_\_  
☒ E/F 3.4  
☐ G \_\_\_\_\_

2.5 Lizza Equipment Leasing, LLC 859 Willow Grove St  
Hackettstown, NJ 07840

Signature Financial, LLC

☒ D 2.2  
☐ E/F \_\_\_\_\_  
☐ G \_\_\_\_\_

**Fill in this information to identify the case:**

Debtor name Magnolia Associates, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

**Official Form 207**

**Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy**

04/19

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

**Part 1: Income**

**1. Gross revenue from business**

☐ None.

**Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year**

**Sources of revenue**  
Check all that apply

**Gross revenue**  
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:  
From 1/01/2019 to Filing Date

☒ Operating a business  
☐ Other \_\_\_\_\_

\$312,500.00

For prior year:  
From 1/01/2018 to 12/31/2018

☒ Operating a business  
☐ Other \_\_\_\_\_

\$450,000.00

For year before that:  
From 1/01/2017 to 12/31/2017

☒ Operating a business  
☐ Other \_\_\_\_\_

\$750,000.00

**2. Non-business revenue**

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☒ None.

**Description of sources of revenue**

**Gross revenue from each source**  
(before deductions and exclusions)

**Part 2: List Certain Transfers Made Before Filing for Bankruptcy**

**3. Certain payments or transfers to creditors within 90 days before filing this case**

List payments or transfers--including expense reimbursements--to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,825. (This amount may be adjusted on 4/01/22 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☐ None.

**Creditor's Name and Address**

**Dates**

**Total amount of value**

**Reasons for payment or transfer**  
Check all that apply

Debtor Magnolia Associates, LLC

Case number (if known)

Creditor's Name and Address	Dates	Total amount of value	Reasons for payment or transfer <i>Check all that apply</i>
3.1. New York Community Bank 102 Duffy Ave., 2nd Fl. Hicksville, NY 11801	4/1/19; 4/1/19; 6/6/19; 6/6/19	\$254,977.43	<input checked="" type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other__
3.2. Grande Aggregates, LLC 9025 Rt. 4 Whitehall, NY 12887	4/19/19; 4/25/19; 5/2/19; 5/14/19; 5/17/19; 5/24/19; 6/3/19	\$29,750.00	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other__

**4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider**

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,825. (This amount may be adjusted on 4/01/22 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☒ None.

Insider's name and address Relationship to debtor	Dates	Total amount of value	Reasons for payment or transfer
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**5. Repossessions, foreclosures, and returns**

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

☒ None

Creditor's name and address	Describe of the Property	Date	Value of property
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**6. Setoffs**

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☒ None

Creditor's name and address	Description of the action creditor took	Date action was taken	Amount
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**Part 3: Legal Actions or Assignments****7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits**

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

☐ None.

Case title Case number	Nature of case	Court or agency's name and address	Status of case
7.1. Salvatore Gargano, Compass Construction of N.Y. Co., Inc. v. Magnolia Associates, LLC, Intervenor-Defendant 608026/2015	Civil	State of New York Nassau County Supreme Court 100 Supreme Ct Dr. Mineola, NY 11501	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> On appeal <input type="checkbox"/> Concluded

Debtor Magnolia Associates, LLC

Case number (if known) \_\_\_\_\_

**8. Assignments and receivership**

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☒ None

**Part 4: Certain Gifts and Charitable Contributions****9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000**

☒ None

Recipient's name and address	Description of the gifts or contributions	Dates given	Value
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**Part 5: Certain Losses****10. All losses from fire, theft, or other casualty within 1 year before filing this case.**

☒ None

Description of the property lost and how the loss occurred	Amount of payments received for the loss <small>If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received.  List unpaid claims on Official Form 106A/B (Schedule A/B: Assets – Real and Personal Property).</small>	Dates of loss	Value of property lost
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**Part 6: Certain Payments or Transfers****11. Payments related to bankruptcy**

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring, seeking bankruptcy relief, or filing a bankruptcy case.

☐ None.

Who was paid or who received the transfer? Address	If not money, describe any property transferred	Dates	Total amount or value
11.1. WASSERMAN, JURISTA & STOLZ, P.C. 110 Allen Road Suite 304 Basking Ridge, NJ 07920	Attorney Fees and filing fee	6-10-19	\$25,000.00
Email or website address <u>attys@wjslaw.com</u>			
Who made the payment, if not debtor?			

**12. Self-settled trusts of which the debtor is a beneficiary**

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.

Do not include transfers already listed on this statement.

☒ None.

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
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**13. Transfers not already listed on this statement**

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

page 3

Debtor Magnolia Associates, LLC

Case number (if known) \_\_\_\_\_

List any transfers of money or other property by sale, trade, or any other means made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☐ None.

Who received transfer? Address	Description of property transferred or payments received or debts paid in exchange	Date transfer was made	Total amount or value
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**Part 7: Previous Locations****14. Previous addresses**

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☐ Does not apply

Address	Dates of occupancy From-To
---------	-------------------------------

**Part 8: Health Care Bankruptcies****15. Health Care bankruptcies**

Is the debtor primarily engaged in offering services and facilities for:

- diagnosing or treating injury, deformity, or disease, or
- providing any surgical, psychiatric, drug treatment, or obstetric care?

☐ No. Go to Part 9.

☐ Yes. Fill in the information below.

Facility name and address	Nature of the business operation, including type of services the debtor provides	If debtor provides meals and housing, number of patients in debtor's care
---------------------------	---	---

**Part 9: Personally Identifiable Information****16. Does the debtor collect and retain personally identifiable information of customers?**

☐ No.

☐ Yes. State the nature of the information collected and retained.

**17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit?**

☐ No. Go to Part 10.

☐ Yes. Does the debtor serve as plan administrator?

**Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units****18. Closed financial accounts**

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved, or transferred?

Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

☐ None

Financial Institution name and Address	Last 4 digits of account number	Type of account or instrument	Date account was closed, sold, moved, or transferred	Last balance before closing or transfer
---	------------------------------------	----------------------------------	---	---

**19. Safe deposit boxes**

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

Debtor Magnolia Associates, LLC

Case number (if known) \_\_\_\_\_

☐ None

Depository institution name and address	Names of anyone with access to it Address	Description of the contents	Do you still have it?
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**20. Off-premises storage**

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

☐ None

Facility name and address	Names of anyone with access to it	Description of the contents	Do you still have it?
---------------------------	-----------------------------------	-----------------------------	-----------------------

**Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own****21. Property held for another**

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☐ None**Part 12: Details About Environment Information**

For the purpose of Part 12, the following definitions apply:

*Environmental law* means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).

*Site* means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.

*Hazardous material* means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

**22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.**

- ☐ No.  
☐ Yes. Provide details below.

Case title Case number	Court or agency name and address	Nature of the case	Status of case
---------------------------	----------------------------------	--------------------	----------------

**23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?**

- ☐ No.  
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
-----------------------	------------------------------------	-----------------------------	----------------

**24. Has the debtor notified any governmental unit of any release of hazardous material?**

- ☐ No.  
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
-----------------------	------------------------------------	-----------------------------	----------------

**Part 13: Details About the Debtor's Business or Connections to Any Business**

Debtor Magnolia Associates, LLC

Case number (if known) \_\_\_\_\_

**25. Other businesses in which the debtor has or has had an interest**

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

☒ None

**Business name address****Describe the nature of the business****Employer Identification number**

Do not include Social Security number or ITIN.

**Dates business existed****26. Books, records, and financial statements**

26a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

☐ None

**Name and address****Date of service  
From-To**

26a.1. Castellano Korenberg & Co.  
313 W. Old Country Rd  
Hicksville, NY 11801

2018-current

26a.2. Smolin Lupin & Co.  
165 Passaic Avenue  
Fairfield, NJ 07004

2017

26b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

☐ None

**Name and address****Date of service  
From-To**

26b.1. New York Community Bank  
102 Duffy Ave., 2nd Fl.  
Hicksville, NY 11801

annually

26c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

☐ None

**Name and address****If any books of account and records are  
unavailable, explain why**

26c.1. Magnolia Associates, LLC  
859 Willow Grove St  
Hackettstown, NJ 07840

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

☒ None

**Name and address****27. Inventories**

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☒ No

☐ Yes. Give the details about the two most recent inventories.

**Name of the person who supervised the taking of the  
inventory****Date of inventory****The dollar amount and basis (cost, market,  
or other basis) of each inventory**

**28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.**

Debtor Magnolia Associates, LLC

Case number (if known) \_\_\_\_\_

Name	Address	Position and nature of any interest	% of interest, if any
Carl Lizza		Managing Member	50%

Name	Address	Position and nature of any interest	% of interest, if any
John Lizza		Managing Member	50%

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

- ☒ No  
☐ Yes. Identify below.

30. Payments, distributions, or withdrawals credited or given to insiders

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

- ☒ No  
☐ Yes. Identify below.

Name and address of recipient	Amount of money or description and value of property	Dates	Reason for providing the value
-------------------------------	--	-------	--------------------------------

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

- ☒ No  
☐ Yes. Identify below.

Name of the parent corporation	Employer Identification number of the parent corporation
--------------------------------	--

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

- ☒ No  
☐ Yes. Identify below.

Name of the pension fund	Employer Identification number of the parent corporation
--------------------------	--



Debtor Magnolia Associates, LLC

Case number (if known) \_\_\_\_\_

**Part 14: Signature and Declaration**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 12, 2019

/s/ Carl J. Lizza

Signature of individual signing on behalf of the debtor

Carl J. Lizza

Printed name

Position or relationship to debtor Co-Managing Member

**Are additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?**

☒ No

☐ Yes

**United States Bankruptcy Court  
District of New Jersey**

In re Magnolia Associates, LLC

Debtor(s)

Case No.

Chapter 11

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:
- |   |    |                  |
|---|----|------------------|
| For legal services, I have agreed to accept .....           | \$ | <u>23,283.00</u> |
| Prior to the filing of this statement I have received ..... | \$ | <u>23,283.00</u> |
| Balance Due .....   | \$ | <u>0.00</u>      |
2. \$ 1,717.00 of the filing fee has been paid.
3. The source of the compensation paid to me was:
- ☒ Debtor ☐ Other (specify):
4. The source of compensation to be paid to me is:
- ☒ Debtor ☐ Other (specify):
5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
- ☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
  - Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
  - [Other provisions as needed]
7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:  
Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

June 12, 2019

*Date*

/s/ Daniel M. Stolz

Daniel M. Stolz

*Signature of Attorney*

WASSERMAN, JURISTA & STOLZ, P.C.

110 Allen Road

Suite 304

Basking Ridge, NJ 07920

(973) 467-2700 Fax: (973) 467-8126

attys@wjslaw.com

*Name of law firm*

**United States Bankruptcy Court  
District of New Jersey**

In re Magnolia Associates, LLC

Debtor(s)

Case No.  
Chapter

11

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Carl Lizza	equity security		50%
John Lizza	equity security		50%

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the Co-Managing Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date June 12, 2019

Signature /s/ Carl J. Lizza  
Carl J. Lizza

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court  
District of New Jersey**

In re Magnolia Associates, LLC Case No. \_\_\_\_\_  
Debtor(s) Chapter 11

**VERIFICATION OF CREDITOR MATRIX**

I, the Co-Managing Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: June 12, 2019 /s/ Carl J. Lizza  
Carl J. Lizza/Co-Managing Member  
Signer/Title

Azzil Granite Materials, LLC  
859 Willow Grove St  
Hackettstown, NJ 07840

Couch White LLP  
540 Broadway  
PO Box 22222  
Albany, NY 12201

Hinckley, Allen & Snyder, LLP  
30 So. Pearl St., Suite 901  
Albany, NY 12207

Intercounty Paving Associates, LLC  
859 Willow Grove St.  
Hackettstown, NJ 07840

J.R. Vinargo Corporation  
2208 Plainfield Pike  
Johnston, RI 02919

Joseph Lubertazzi, Esq.  
McCarter & English  
4 Gateway Center, 100 Mulberry St  
Newark, NJ 07102

Kevin A. Luibrand, Esq.  
950 New Loudon Road, Suite 270  
Latham, NY 12110

Lizza Equipment Leasing, LLC  
859 Willow Grove St  
Hackettstown, NJ 07840

Maine Drilling & Blasting, Inc.  
PO Box 1140  
Brunswick Road  
Gardiner, ME 04345

New York Commercial Bank  
NYCB Plaza  
102 Duffy Ave., 3rd Fl  
Hicksville, NY 11801

New York Commercial Bank  
NYCB Plaza  
102 McDuffy Ave., 3rd Floor  
Hicksville, NY 11801

New York Community Bank  
102 Duffy Ave., 2nd Fl.  
Hicksville, NY 11801

NYS Marine Highway Transportation, LLC  
427 River Street  
Troy, NY 12180

Salvatore Gargano  
c/o Compass Construction of NY Co., Inc.  
234 Skillman Ave #2A  
Brooklyn, NY 11211

Signature Financial, LLC  
225 Broadhollow Rd.  
Suite 132W  
Melville, NY 11747

Wells Fargo Equipment Finance, Inc.  
733 Marquette Ave, Suite 700  
Minneapolis, MN 55402

Zurich North America  
Attn: Nicholas Kokinakis, Claims Counsel  
1299 Zurich Way, PO Box 968038  
Schaumburg, IL 60196

**United States Bankruptcy Court  
District of New Jersey**

In re Magnolia Associates, LLC

Debtor(s)

Case No.

Chapter 11

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Magnolia Associates, LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

June 12, 2019

Date

/s/ Daniel M. Stolz

Daniel M. Stolz

Signature of Attorney or Litigant  
Counsel for Magnolia Associates, LLC  
WASSERMAN, JURISTA & STOLZ, P.C.

110 Allen Road  
Suite 304  
Basking Ridge, NJ 07920  
(973) 467-2700 Fax:(973) 467-8126  
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